

**717A.4 Use of pathogens to threaten animals and crops — penalty.**

1. Except as provided in [subsection 2](#), a person shall not willfully possess, transport, or transfer a pathogen with an intent to threaten the health of an animal or crop.

a. For animals, a pathogen restricted under [this section](#) shall be limited to a biological agent or toxin listed in [9 C.F.R. §121.2\(b\)](#), as that list exists on January 1, 2004.

b. For crops, a pathogen restricted under [this section](#) shall be limited to a biological agent or toxin listed in [7 C.F.R. §331.3](#), as that list exists on January 1, 2004.

2. [This section](#) does not apply to a person who possesses, transports, or distributes a pathogen in compliance with federal law, including but not limited to as provided in [9 C.F.R. pt. 121](#) or [7 C.F.R. pt. 331](#).

3. A person who violates [this section](#) is guilty of a class “B” felony.

[2004 Acts, ch 1142, §2](#)